

IP LITIGATION & STRATEGY

JAPAN

PROTECTING YOUR INTELLECTUAL PROPERTY RIGHTS AND ASSETS

The protection and enforcement of your IP assets requires strategic thinking, careful planning and constant vigilance. For more than 125 years, Gowling WLG has been helping the world's leading businesses maximize their IP assets and protect what makes them unique — in Canada, the UK and around the world.

For 60 of those years, our top-ranked IP litigators have worked closely with Japanese companies to obtain positive outcomes that are strategically aligned with their business goals. We've successfully represented Japanese clients in court cases involving trademark and patent infringement and validity, the misappropriation of confidential information and theft of trade secrets, IP licensing disputes, and copyright infringement.

HOW WE HELP

Experienced on-the-ground legal professionals

Our seasoned litigators have rich experience working with Japanese companies and regularly spend time in Japan to gain essential insight into our clients' operations, business goals and unique challenges. This dedication has enabled us to deliver successful results to Japanese companies for more than six decades.

Diverse capabilities

Recognized by the world's leading legal publications and rankings organizations, Gowling WLG's top-tier IP litigators have delivered successful outcomes on many of the most important — and contentious — IP cases in recent history. With diverse backgrounds in science, technology and engineering, our IP litigators are equipped to provide industry know-how and critical analysis of your legal matters.

Sector-focused insight

Gowling WLG provides services to clients across a wide range of industries — from life sciences, energy and natural resources to technology, aviation, manufacturing and automotive. Our broad sector-focused experience allows us to anticipate challenges and opportunities specific to your industry and tailor our litigation strategy to fit your precise needs.

Advocacy where you need it

With offices in 19 cities worldwide, our IP litigation team is equipped to enforce and protect your IP assets and rights in jurisdictions around the world. With top IP practices in Canada, the UK, Europe, Russia, China, the United Arab Emirates and Singapore, our professionals have the global experience you need wherever your business takes you.

WORLD TRADEMARK REVIEW 1000 | 2020

34 professionals worldwide earned 43 listings across multiple trademark categories, including anti-counterfeiting, enforcement and litigation, and prosecution and strategy

CHAMBERS GLOBAL | 2020

Gowling WLG named a leading law firm in 13 categories, including IP (Canada, Russia, UAE, UK), IP: Litigation (Canada) and IP: Patent Litigation (UK)

MANAGING INTELLECTUAL PROPERTY "IP STARS" | 2020

36 professionals from across Canada, France, Germany, Russia, the UAE and the UK named "IP Stars"

CLIENT SERVICE HIGHLIGHTS

Counsel to **Beam Suntory** on various trademark litigation and strategic trademark matters.

Counsel to **Takeda Pharmaceutical Company Ltd.** on multiple patent litigation cases in Canada over the past 15 years.

Advisers to numerous **Japanese corporations** on a wide variety of trademark matters over the past three decades, providing strategic advice on selection, registration and enforcement of trademarks in Canada.

Counsel to pharmaceutical company **Astellas** on patent disputes before the Federal Court of Canada.

Counsel to pharmaceutical company **Kyorin Pharmaceutical Co.** for over 15 years on various patent disputes at the Federal Court of Canada.

Counsel to **Mitsubishi Heavy Industries** on various intellectual property litigation matters.

Counsel to **Chugai** regarding a patent enforcement matter for **Xeloda**.

Counsel to **Seiko Epson Corporation** for an ongoing UK patent enforcement program against compatible ink cartridges.

Counsel to **Horizon Pharma** in proceedings before the Federal Court of Canada. Successfully obtained an interlocutory injunction against the minister of health permitting Horizon to maintain its challenge to Health Canada's decision to refuse the grant of data protection to Horizon for its orphan drug RAVICTI. Proceedings ended with the minister of health awarding data protection to Horizon.

Counsel to **Eli Lilly** in proceedings before the Federal Court of Canada in an action relating to Apotex's infringement of patents related to the manufacture of the antibiotic cefaclor, in which the court awarded approximately \$106 million to Eli Lilly in damages, including compound interest.

Counsel for the appellants **Sanofi** and **Bristol-Myers Squibb Sanofi Pharmaceuticals Holding Partnership** in a dispute with Apotex before the Federal Court over Sanofi's patent for the blockbuster drug Plavix, in which the Federal Court of Appeal found the patent valid.

Counsel to **Novartis**, the successful defendant in proceedings before the Federal Court of Canada where the court dismissed impeachment actions brought by Teva and Apotex against Novartis relating to the compound patent for Novartis' breakthrough cancer drug Gleevec, finding that the patent was valid and that the "promise" of the patent varies depending on the claims of a patent.

With decades of experience, Gowling WLG is uniquely positioned to help Japanese companies maintain, leverage and enforce their intellectual property assets in Canada, the UK and other key global markets.



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AREAS OF EXPERTISE

- Anti-counterfeiting, anti-piracy and enforcement (civil and criminal)
- Border enforcement
- Comparative advertising litigation
- Copyright litigation
- Design rights litigation
- Expungement and cancellation
- Innovator rights protection
- Intellectual property licensing and litigation
- IP-related competition issues
- Patent enforcement and defence
- Patented medicines advice and litigation (including listing)
- Product life cycle issues, including regulatory
- Trademark enforcement and litigation
- Trade secret enforcement and defence (litigation and pre-litigation)



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